

This listing of claims will replace all prior versions, and listing of claims in the application:

Listing of claims:

Claim 1 (currently amended) A tropicalizing agent comprising:

a liquid fat component;

a plurality of gel beads which comprise:

~~a~~ at least one component selected from the group consisting of sugar or and polyol, or both, in an amount of about 20 to 50 weight percent of the gel beads;

~~an emulsifier component to facilitate uniform gel bead size distribution; and~~

~~the remainder being~~ water present in an amount sufficient to ensure that the sugar or polyol is present in aqueous form,

~~wherein~~ the emulsifier component is being present in an amount sufficient so the gel beads form a water-in-oil emulsion with the liquid fat component, wherein the liquid fat component is present in an amount sufficient to disperse the gel beads therein and wherein a majority of the gel beads remain substantially intact to trap the aqueous form therein for at least about 8 hours after being cooled below about 40°C.

Claim 2 (original) The agent of claim 1, wherein the gel beads further comprise a gelling component in an amount sufficient to facilitate gelling of the gel beads.

Claim 3 (currently amended) The agent of claim 2, wherein the gelling component is present in an amount of about 0.2 to 1.2 weight percent of the gel beads and comprises at least two ingredients selected from the group consisting of kappa-carrageenan, iota-carrageenan, locust bean gum, agar, alginate, milk proteins, ~~or and~~ gelatin.

Claim 4 (original) The agent of claim 1, wherein at least a majority of the gel beads remain substantially intact for at least about 4 hours after being cooled below about 30°C, and the tropicalizing agent contains about 20 to 60 weight percent water.

Claim 5 (original) The agent of claim 1, wherein the gel beads are at least substantially spherical.

Claim 6 (original) The agent of claim 1, wherein the gel beads have a volume average size of about 20 to 80 microns.

Claim 7 (currently amended) The agent of claim 1, wherein the liquid fat component comprises at least one or more cocoa butter-substitutes substitute.

Claim 8 (currently amended) A chocolate or analogue thereof comprising a the tropicalizing agent of claim 1 comprising:

a liquid fat component;

a plurality of gel beads which comprise:

at least one component selected from the group consisting of sugar and polyol, in an amount of about 20 to 50 weight percent of the gel beads;

an emulsifier component; and

water present in an amount sufficient to ensure that the sugar or polyol is present in aqueous form,

the emulsifier component being present in an amount sufficient so the gel beads form a water-in-oil emulsion with the liquid fat component, wherein the liquid fat component is present in an amount sufficient to disperse the gel beads therein and wherein a majority of the gel beads remain substantially intact to trap the aqueous form therein for at least about 8 hours after being cooled below about 40°C in an amount sufficient to increase the structural integrity and shape retention of the chocolate or analogue thereof.

Claim 9 (currently amended) A chocolate or analogue thereof comprising:—~~the tropicalizing agent of claim 1~~

a liquid fat component;

a plurality of gel beads which comprise:

at least one component selected from the group consisting of sugar and polyol, in an amount of about 20 to 50 weight percent of the gel beads;

an emulsifier component; and

water present in an amount sufficient to ensure that the sugar or polyol is present in aqueous form,

the emulsifier component being present in an amount sufficient so the gel beads form a water-in-oil emulsion with the liquid fat component, wherein the liquid fat component is present in an amount sufficient to disperse the gel beads therein and wherein a majority of the gel beads remain substantially intact to trap the aqueous form therein for at least about 8 hours after being cooled below about 40°C, wherein the gel beads include sugar crystals present in the form of a plurality of rings or chains each having a size in diameter or length of about 50 μm to 500 μm.

Claim 10 (original) A process for preparing a tropicalizing agent which comprises:

providing a plurality of gel beads comprising one or more sugars or polyols in an amount of about 20 to 50 weight percent of the gel beads, an emulsifier component to facilitate uniform gel bead distribution, and the remainder being water present in an amount sufficient to ensure that the sugar or polyol, or both, is present in aqueous form; and

dispersing the gel beads in a liquid fat component present in an amount sufficient to disperse the gel beads therein,

wherein the emulsifier component is present in an amount sufficient so the gel beads form a water-in-oil emulsion with the liquid fat component, wherein the liquid fat component is

present in an amount sufficient to disperse the gel beads therein, and wherein a majority of the gel beads remain substantially intact to trap the aqueous form therein for at least about 8 hours after being cooled below about 40°C.

Claim 11 (currently amended) The process of claim 10, wherein the step of providing further comprises a gelling component that comprises at least two ingredients selected from the group consisting of kappa-carrageenan, iota-carrageenan, locust bean gum, agar, alginate, milk proteins, ~~or~~ and gelatin.

Claim 12 (currently amended) The process of claim 11, wherein at least substantially all of the gel beads remain intact to trap the aqueous form therein for at least about 8 hours after formation of the ~~tropicalizing~~ topical agent and the ~~tropicalizing~~ topical agent contains about 20 to 60 weight percent water.

Claim 13 (currently amended) The process of claim 10, wherein the liquid fat component comprises at least one ~~or more~~ cocoa butter substitutes.

Claim 14 (original) The process of claim 11, wherein the gelling component is fully dissolved to facilitate dispersal of the gel beads within the liquid fat component.

Claim 15 (currently amended) A process for tropicalizing chocolate or an analogue thereof, which comprises:

combining a chocolate or chocolate analogue mass with a sufficient amount of ~~tropicalizing~~ an agent to form a ~~tropicalized~~ chocolate mass, with the ~~tropicalizing~~ agent comprising (a) a plurality of gel beads comprising water in an amount of about 1 to 2 percent by weight of the ~~tropicalized~~ chocolate mass, an emulsifier component to facilitate uniform gel bead distribution, and one or more sugars or polyols, ~~or both~~, in an amount of about 20 to 50 weight percent of the gel beads that forms a syrup with the water that is temporarily retained in the gel beads, and (b) a liquid fat component present in an amount sufficient to ensure the gel beads are dispersed therein; and

initiating release of the syrup of water and sugar or polyol, or both, from the gel beads so as to increase the structure of the ~~tropicalized~~ chocolate mass, wherein the amount of ~~tropicalizing~~ agent is sufficient to increase the integrity and shape retention of the tropicalized chocolate mass compared to a non-tropicalized mass.

Claim 16 (currently amended) The process of claim 15, wherein the step of combining comprises at least substantially uniformly dispersing the tropicalizing agent in the mass.

Claim 17 (currently amended) The process of claim 15, wherein the step of initiating comprises reducing the temperature of the tropicalized chocolate mass to about -5°C to -15°C.

Claim 18 (original) The process of claim 15, wherein the chocolate mass is at least partially tempered before combining the tropicalizing agent therewith.

Claim 19 (currently amended) The process of claim 15, wherein the gelling component is present and comprises a mixture of at least two ingredients selected from the group consisting of kappa-carrageenan, iota-carrageenan, locust bean gum, agar, alginate, milk proteins, ~~or~~ and gelatin.

Claim 20 (original) The process of claim 15, wherein the gelling component is provided in an amount of less than about 0.5 weight percent of the tropicalized chocolate mass.

Claim 21 (currently amended) The process of claim 15, wherein the sugar or polyol is selected from the group consisting of ~~comprises~~ sucrose ~~and/or~~ sorbitol, ~~or a combination thereof.~~

Claim 22 (currently amended) The process of claim 15, wherein the liquid fat component comprises at least one ~~or more~~ cocoa butter substitutes.

Claim 23 (currently amended) The process of claim 15, wherein the liquid fat comprises at least one ~~or more~~ vegetable fats that are the same as a fat used in preparing the

chocolate analogue mass so as to increase the compatibility and stability of the tropicalized chocolate mass.